

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ORACLE AMERICA, INC.,

Plaintiff,

No. C 10-03561 WHA

v.

GOOGLE INC.,

Defendant.

SPECIAL VERDICT FORM

YOUR ANSWER MUST BE UNANIMOUS.

1. As to the compilable code for the 37 Java API packages in question taken as a group:

A. Has Oracle proven that Google has infringed the overall structure, sequence and organization of copyrighted works?

Yes _____ No _____

(IF YOU ANSWER “NO” TO QUESTION 1A, THEN SKIP TO QUESTION NO. 2.)

B. Has Google proven that its use of the overall structure, sequence and organization constituted “fair use”?

Yes _____ No _____

2. As to the documentation for the 37 Java API packages in question taken as a group:

A. Has Oracle proven that Google has infringed?

Yes _____ No _____

(IF YOU ANSWER “NO” TO QUESTION 2A, THEN SKIP TO QUESTION NO. 3.)

B. Has Google proven that its use of Oracle’s Java documentation constituted “fair use”?

Yes _____ No _____

3. Has Oracle proven that Google’s conceded use of the following was infringing, the only issue being whether such use was de minimis:

| | Yes | No |
|---|------------|-----------|
| A. The rangeCheck method in TimSort.java and ComparableTimSort.Java | _____ | _____ |
| B. Source code in seven “Impl.java” files and the one “ACL” file | _____ | _____ |
| C. The English-language comments in CodeSourceTest.java and CollectionCertStoreParameters Test.java | _____ | _____ |

